

## REMARKS

In response to the Final Office Action, no claims have been amended, added or cancelled. Claims 1-13 are pending in the application. Applicant respectfully requests reconsideration of this application in view of the following remarks.

### **I. Objection to the Drawings**

The Examiner objected to Figures 1-6 stating that Figures 1-6 should be designated by a legend such as --Prior Art--. Applicant submits herein replacement sheets for Figures 1-6 including the label --Prior Art-- on each of the drawings. Applicant respectfully requests the Examiner to enter the replacement sheets.

### **II. Claims Rejected Under 35 U.S.C. §103**

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,106,366 issued to Parker et al (“Parker”), U.S. Patent No. 7,065,751 issued to Hagiwara et al (“Hagiwara”) and admitted Prior Art: Figs. 1-6, PP. 2-3, paragraphs 7-9 and PP. 9-13, paragraphs 29-44 (“APA”). Applicant respectfully disagrees.

To establish a *prima facie* case of obviousness, the relied upon references must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art.

With respect to independent Claim 1, Applicant submits that the cited references fail to disclose “a designation allowing unit to allow a designation of a region of interest for an image file *stored in a storage region*”, “a determination unit to determine that the *image file* corresponds to *at least one of a non-compressed file and a compressed file compressed using a format other than the JPEG 2000 format*”, and “a compression execution unit to compress the image file using the JPEG 2000 format by use of the compression unit *in a case where the determination unit determines that the image file corresponds to a non-compressed file*, and decompresses the image file by use of the decompression unit and compresses the decompressed image file using the JPEG 2000 format by use of the compression unit *in a case where the determination unit determines that the image file corresponds to a compressed file compressed using a format other than the JPEG 2000 format*” (emphasis added.)

In the Final Office Action, the Examiner did not indicate which cited reference discloses the recited “designation allowing unit.” Parker discloses performing, *during image capture*, processes for generating additional information relating to the importance of a photographed subject and the corresponding background regions. Specifically, Parker discloses a main subject detection unit 208 that generates a belief map 209 to provide a measure of the relative importance of different regions in an image, such as subjects and backgrounds (e.g., see col. 4, lines 16-29). However, the above-disclosed feature of Parker is different from “a designation allowing unit to allow a designation of a region of interest for an image file *stored in a storage region*,” as recited in Claim 1. That is, the main subject detection unit 208 of Parker operates during image capture operations to distinguish subjects and background regions of the captured image data. This is clearly different from the recited designation allowing unit that allows designation of a region of interest *for an image file stored in a storage region*.

Further, the Examiner indicates in the Final Office Action that Hagiwara discloses the determination unit as recited in Claim 1. Hagiwara is related to a technique for compressing/decompressing *method codes of a program*. Method codes are different from image files. Thus, Hagiwara fails to teach or suggest a determination unit that determines whether an *image file* corresponds to *a non-compressed file or a compressed file compressed using a format other than the JPEG 2000 format*, as recited in Claim 1.

Specifically, in the claimed invention, a determination is made as to whether an image file stored in a storage region is compressed by the JPEG 2000 format. The determination allows an image file that is not compressed by the JPEG 2000 format (i.e., a non-compressed file or a compressed file compressed using a format other than the JPEG 2000 format) to be appropriately processed, according to the determination result of the determination unit, and converted into a JPEG 2000 compressed image file. Thus, a region of interest may be extracted from the image file and output for transmission. Applicant submits that this feature of the claimed invention is neither taught nor suggested in the cited references.

APA does not supply the deficiency of Parker and Hagiwara. Thus, Claim 1 and its dependent claims, namely, Claims 2-11, are non-obvious over the cited references. Analogous discussions apply to independent Claims 12 and 13. Accordingly, withdrawal of the rejection of Claims 1-13 is respectfully requested.

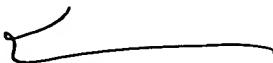
**CONCLUSION**

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

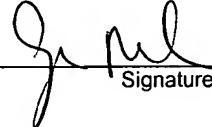
Dated: 1/11, 2008

  
Michael J. Mallie, Reg. No. 36,591

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on January 11, 2008.

Angela M. Quinn  
Name of Person Mailing Correspondence

  
Signature

1-11-08  
Date